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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,878	05/15/2001	Mark Cirinna	COMP:0174/FLE P00-3330	1510

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Intellectual Property Administration
Legal Department, M/S 35
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Ft. Collins, CO 80527-2400

EXAMINER

RAYYAN, SUSAN F

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/855,878

Applicant(s)

CIRINNA ET AL.

Examiner

Susan F. Rayyan

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Claims 1-20 are pending.
2. Information Disclosure statement files on September 21, 2001 has been considered.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 4, 7-8, 17-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Regarding claim 4, the limitation "similar look and feel" is indefinite.

Regarding Claims 7-8 recites the limitation "the second application" in line 1.

There is insufficient antecedent basis for this limitation in the claim. In addition, no "first application" is provided.

Regarding claims 17-20, the limitation "acts of" of is indefinite. Examiner interprets "acts of" as "steps of".

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Art Unit: 2177

6. **Claims 1-4,7-13, 15-20 are rejected under 35 U.S.C. 102(a) as being anticipated by Barnes et al (US 5,970,475).**

As per claims 1,4,15 -16 Barnes anticipates:

a first electronic information system being accessible from a website interface at col.7, lines 24-25;

data related to the identified company stored in electronic storage at col. 7, lines 57-58;

a plurality of tools to enable the employees to perform a plurality of employment related functions for the identified company, each tool utilizing the company-related data to perform its intended function at col. 8, lines 28-35;

a data engine opera table to provide a link between the first information system and a second information system provided by a business partnered with the identified company, the link being transparent to the employees at fig. D.

Barnes teaches a first electronic information system being accessible from a website interface, data related to the identified company stored in electronic storage at, a plurality of tools to enable the employees to perform a plurality of employment related functions for the identified company, each tool utilizing the company-related data to perform its intended function, a data engine opera table to provide a link between the first information system and a second information system provided by a business partnered with the identified company, the link being transparent to the employees at col.7, lines 24-25, 57-58, col. 8, lines 28-35 and fig. D.

As per claims 2, 20 same as claim arguments above and Barnes anticipates:

Art Unit: 2177

wherein the first electronic information system comprises a first application to identify each of the employees using the system at col.6, lines 42-43.

As per claim 3, same as claim arguments above and Barnes anticipates:

The first electronic information system comprises a second application to configure a website interface based upon the identity of each of the employees accessing the system at col.6, lines 57-65.

As per claim 7, same as claim arguments above and Barnes anticipates:

second application configures the appearance of the website interface based upon profiles of the employees at col.6, lines 57-65.

As per claims 8, 13 same as claim arguments above and Barnes anticipates:

the second application configures the appearance of the website interface by employment function of each of the employees at col. 8, lines 32 (note: administrated functions).

As per claim 9, same as claim arguments above and Barnes anticipates:

the website interface is arranged topically by subject matter of the tools at col. 9, lines 29-50.

As per claim 10, same as claim arguments above and Barnes anticipates:

the plurality of tools comprise at least one application at col. 8, lines 28-35.

As per claim 11, same as claim arguments above and Barnes anticipates:

system utilizes the first application to identify the employee using the system and to provide the employees with a menu of the tools based on the identity of the employee at col. 6, lines 42-43, and col. 6, lines 60-65.

As per claim 12 Barnes anticipates:

an information database containing data related to the identified company at col.7, lines 57-58;

an interactive Internet website that enables only the employees of the identified company to access and interact with the electronic information system at col.6, lines 43-65;

a plurality of tools to direct the system to perform operations to assist the employees to perform employment-related functions for the identified company at col.8, lines 28-35;

an information engine that operates between the information database and the plurality of tools at fig. 3;

an application to identify each of the employees accessing the system, wherein the system configures the interactive Internet website based on each employees' identity at col. 6, lines 57-65.

Barnes teaches an information database containing data related to the identified company, an interactive Internet website that enables only the employees of the identified company to access and interact with the electronic information system, a plurality of tools to direct the system to perform operations to assist the employees to perform employment-related functions for the identified company, an information engine that operates between the information database and the plurality of tools, an application to identify each of the employees accessing the system, wherein the system configures

Art Unit: 2177

the interactive Internet website based on each employees' identity at col.6, lines 43-65, col.7, lines 57-58 , col.8, lines 28-35 and fig. 3.

As per claim 17 Barnes anticipates:

providing a computer system with a website interface at col. 7, lines 24-25;

providing the computer system with company-related data and a plurality of applications stored in memory at col.7, lines 57-58 and col.8, lines 28-35;

coordinating the operation of the data and the plurality of applications to form a plurality of tools accessible by only the employees via the website interface, each tool

performing an employment-related function for the employee col. 8, lines 28-35;

providing the computer system with a data engine to locate specific company-related data in memory and transfer the specific company-related data to an application to enable each tool to perform its employment-related function at col.8, lines 28-35.

Barnes teaches providing a computer system with a website interface, providing the computer system with company-related data and a plurality of applications stored in memory, coordinating the operation of the data and the plurality of applications to form a plurality of tools accessible by only the employees via the website interface, each tool performing an employment-related function for the employee, providing the computer system with a data engine to locate specific company-related data in memory and transfer the specific company-related data to an application to enable each tool to perform its employment-related function at col.7, lines 57-58 and col.8, lines 28-35.

Art Unit: 2177

As per claim 18, same as claim arguments above and Barnes anticipates:
providing the system with a tool that enables an employee to obtain information or services via the website interface at col.7, lines 33-36.

As per claim 19 same as claim arguments above and Barnes anticipates:
providing the system with a tool that enables an employee to request goods or services via the website interface at co. 7, lines 33-36.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 5-6, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes et al (US 5,970,475) in view of Lin et al (US 5,949,415).**

As per claim 5, same as claim arguments above and Barnes does not explicitly teach the first electronic information system comprises a third application to record each of the employees' use of the system however Lin does teach this limitation at col.3, lines 12-14. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references for the purpose of billing the client user based on the extent of usage at col.2, lines 51-53.

Art Unit: 2177

As per claims 6, 14 same as claim arguments above and Barnes does not explicitly teach the first electronic information system comprises a for the application the enables the system to develop employee profiles based upon each of the employees' use of the system however Lin however does teach this limitation at col.1, lines 34-36. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to tailor service to the particular needs of individual clients at col. 1, lines 36-37.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Rayyan whose telephone number is (703) 305-0311. The examiner can normally be reached M-F: 8am - 4:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on 703-305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for Official communications, (703) 746-7238 for After Final communications and (703) 746-7240 for Status inquiries and draft communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Susan Rayyan



March 19, 2004



GRETA ROBINSON
PRIMARY EXAMINER